

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MARICOPA

IN THE MATTER OF)
ADMINISTRATION OF THE)
JUSTICE OF THE PEACE COURTS) ADMINISTRATIVE
ORDER)
AND DUTIES AND AUTHORITY OF) NO. 94-030
PRESIDING JUSTICE OF THE PEACE)
AND THE JUSTICE COURT ADMINISTRATOR)
_____)

The Supreme Court of Arizona, pursuant to Article 6, Section 11, Arizona Constitution, by Administrative Order 93-30 Revised, Administrative Rule V-A, delegated to the Presiding Judges of the counties the responsibility and authority to administer the Justice Courts in the Counties.

In light of Supreme Court Administrative Order 93-30 Revised, and Rule 1.2(d), Maricopa County Local Rules of Practice, Maricopa County Administrative Order 87-022 is outdated.

The duties and responsibilities of the Court Institution to the taxpayers and the duty of the Court Institution to provide reasonable meaningful access to the courts and to provide due process thereafter requires more advanced and efficient administration of the Court Institution.

Accordingly, it is

ORDERED rescinding Maricopa County Administrative Orders 87-022 and 94-029.

ORDERED delegating to the Presiding Justice of the Peace and the Justice Court Administrator of Maricopa County administrative authority to implement and oversee the following "DUTIES AND AUTHORITY OF THE PRESIDING JUSTICE OF THE PEACE AND JUSTICE COURT ADMINISTRATOR", reserving to the Presiding Judge of the County the authority delegated to the Presiding Judge of the County by the Supreme Court of Arizona.

**DUTIES AND AUTHORITY OF THE PRESIDING
JUSTICE OF THE PEACE AND THE JUSTICE COURT ADMINISTRATOR**

I. Introduction

To provide reasonable access to the Justice of the Peace

Courts and to provide due process thereafter; to provide maximum efficiency

Administrative Order 94-030

May 2, 1994

Page Two (2)

for the Justice Courts while balancing the duties and responsibilities to the citizens and taxpayers; and to discharge the administrative responsibilities imposed by the Arizona Constitution on the Arizona Supreme Court, the following duties and authority are implemented:

Presiding Justice of the Peace

II. Selection

The Presiding Justice of the Peace shall be selected by vote of the Justices of the Peace, with the advise and consent of the Presiding Judge of the County. The Presiding Justice of the Peace may be re-elected for subsequent terms. In the case of a tie vote of the Justices of the Peace, the Presiding Judge of the County shall make the selection.

The Presiding Justice of the Peace is subject to removal from the position at any time by the Presiding Judge of the County.

III. Term of Office

The Presiding Justice of the Peace shall serve a term of two (2) years, subject to re-election starting on January 1 and expiring on December 31.

IV. Duties:

The Presiding Justice of the Peace, with the advice and consent of the Presiding Judge of the County, shall:

- A. perform administrative duties delegated by the Presiding Judge of the County.
- B. appoint the Justice Court Administrator. Termination of the Justice Court Administrator shall be only upon order of the Presiding Judge of the County.
- C. exercise administrative supervision over the Justices of the Peace, Pro Tem Judges, and Special Hearing Officers.
- D. preside over all meetings of the Justices of the

Peace; call such special meetings as may be necessary; and shall appoint necessary committees.

- E. shall appoint an Associate Presiding Justice of the Peace to act during the absence or unavailability of the Presiding Justice of the Peace.

Administrative Order 94-030
May 2, 1994
Page Three (3)

JUSTICE COURT ADMINISTRATOR

V. Duties:

The Justice Court Administrator, in consultation with the Presiding Justice of the Peace and with the advice and consent of the Presiding Judge of the County, shall administer the non-judicial decision functions of the Justice Courts including, but not limited to:

- A. Personnel: appoint and terminate all personnel of the Justice Courts, permanent or temporary; assign all such personnel in consultation with affected Justices of the Peace; supervise all employees and staff in accordance with and enforce the Judicial Merit Rules; develop and implement personnel policies and procedures in accordance with the Judicial Merit Rules; supervise all Justice Court Administration staff; and provide pro tem coverage in accordance with applicable policies and procedures.

The Justices of the Peace have daily responsibility for the administration of their court which shall at all times be consistent with all Judicial Branch Policies and Procedures as adopted for Maricopa County by the Presiding Judge of the County.

- B. Training: all training as necessary for the performance of duties of Justice of the Peace, Justice Court employees, and Justice Court Administration staff, including but not limited to: management techniques, case processing, minimum accounting standards, employee career development, assuring compliance by all Justice Court staff with COJET requirements, processing travel authorization and expense reimbursement.
- C. Facilities: develop and maintain a multi-year master plan for new facilities, remodelling of existing facilities, standardization, maintenance,

and compliance with statutory mandates and other regulations.

- D. Procurement: discretionary purchasing and standardization of supplies, equipment and services necessary in the execution of daily duties.
- E. Finance: expenditures preparation and administration; payroll processing; accounts payable processing; fixed asset tracking; compliance with minimum cashflow and accounting standards; preparation of the expenditures shall be coordinated with the expenditures of the

Administrative Order 94-030

May 2, 1994

Page Four (4)

Superior Court, Juvenile Court, Clerk of the Superior Court, and Adult Probation and shall be submitted to the Presiding Judge of the County for presentation to the Board of Supervisors.

- F. Administrative oversight of court operations: establishment of uniform docketing, calendaring, case management and case processing policies and procedures; standardization of court forms and orders; coordinate the establishment of uniform bond, fine and traffic diversion fee schedules, coordinate compliance by the Justice Courts with respect to statistical reporting, jury management, and records management policies and procedures, as required by the Supreme Court; and assist in the development of uniform rules of practice and local rules for the Justice of the Peace Court as directed by the Presiding Judge of the County.
- G. Automation: establishment and coordination of the Justice Court automation system with all state and local judicial automation systems with the assistance and concurrence of the Presiding Judge of the County.
- H. Preparation of a Justice Courts Management Plan for approval by the Presiding Justice of the Peace and the approval of the Presiding Judge of the County.
- I. Perform other administrative responsibilities as prescribed by the Presiding Judge of the County.

VI. POLICIES

Policies for the Justice Courts shall be approved by the

Presiding Judge of the County.

Policies may be recommended to the Presiding Judge of the County by the Justices of the Peace, the Justice Court Administrator, or others.

Any policy recommendation by the Justices of the Peace shall be forwarded to the Justice Court Administrator for comment before approval determination by the Presiding Judge of the County.

Any policy recommendation by the Justice Court Administrator shall be forwarded to the Justices of the Peace for comment before approval determination by the Presiding Judge of the County.

Administrative Order 94-030

May 2, 1994

Page Five (5)

The Justices of the Peace and the Justice Court Administrator shall have thirty (30) calendar days to comment on any policy recommendation of the other. If either fails to comment in the thirty (30) days, that failure will be considered as concurrence in the policy recommendation.

The Presiding Judge of the County retains the right to waive the thirty (30) day requirement in extraordinary circumstances.

Policy recommendations by others shall be sent to the Presiding Judge of the County. The Presiding Judge of the County shall forward any such policy recommendation to the Justices of the Peace and the Justice Court Administrator for comment within thirty (30) days.

Any policy imposed by the Presiding Judge shall be subject to a thirty (30) day period for comments by the Justices of the Peace and the Justice Court Administrator.

DONE and effective on May 2, 1994

Judge

C. Kimball Rose, Presiding

Maricopa County

Original filed with the Clerk of the Court

cc: Chief Justice Stanley G. Feldman
David Byers, Administrative Director, AOC
All Justices of the Peace
Judicial Executive Committee
Courts Management Team
Board of Supervisors
Barbra Cooper, Interim County Manager